IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF DELAWARE

OPENPRINT LLC,)
Plaintiff,)
v.) C.A. No. 17-1075-GMS
OKI DATA AMERICAS, INC.,)
Defendant.)

DEFENDANT OKI DATA AMERICAS, INC.'S MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(6)

Pursuant to Fed. R. Civ. P. 12(b)(6), Defendant Oki Data Americas, Inc. respectfully moves the Court to dismiss the complaint, (D.I. 1), because the asserted claims of the patents-insuit are directed to patent-ineligible subject matter under 35 U.S.C. § 101. Defendant respectfully requests that the Court enter the attached order granting this motion.

The grounds for this motion are fully set forth in Defendant's opening brief, filed concurrently herewith.

SHAW KELLER LLP

/s/ Andrew E. Russell

OF COUNSEL: Marc R. Labgold, Ph.D. NAGASHIMA HASHIMOTO & YASUKUNI Hirakawa-cho KS Bldg., 2nd Floor 2-4-14 Hirakawa-cho, Chiyoda-ku Tokyo 102-0093 Japan

Dated: October 12, 2017

John W. Shaw (No. 3362)
Jeffrey T. Castellano (No. 4837)
Andrew E. Russell (No. 5382)
I.M. Pei Building
1105 North Market Street, 12th Floor
Wilmington, DE 19801
(302) 298-0700
jshaw@shawkeller.com
jcastellano@shawkeller.com
arussell@shawkeller.com
Attorneys for Defendant